UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

AAA RESIDENTIAL SERVICES OF MONTANA, INC

and Cases 19-CA-072863 19-CA-076279

SEIU HEALTHCARE 775NW

AAA RESIDENTIAL SERVICES, INC. 19-CA-072734 19-CA-087298 and 19-CA-092314

SEIU HEALTHCARE 775NW

ORDER

On March 28, 2014, Administrative Law Judge William L. Schmidt of the National Labor Relations Board issued his Decision in the above-entitled proceeding and, on the same date, the proceeding was transferred to and continued before the Board in Washington, D.C. The Administrative Law Judge found that the Respondent has engaged in certain unfair labor practices, and recommended that it take specific action to remedy such unfair labor practices.

No statement of exceptions having been filed with the Board, and the time allowed for such filing having expired,

Pursuant to Section 10(c) of the National Labor Relations Act, as amended, and Section 102.48 of the National Labor Relations Board Rules and Regulations, the Board adopts the findings and conclusions of the Administrative Law Judge as contained in his Decision, and orders that the Respondents, AAA Residential Services of Montana, Inc., its officers, agents, successors, and assigns, and AAA Residential Services, Inc., its officers, agents, successors

and assigns, shall take the action set forth in the recommend	ded Order of the Administrative Law
Judge. ¹	
Dated, Washington, D.C., May 19, 2014.	
By direction of the Board:	
	/s/Farah Z. Qureshi
-	Associate Executive Secretary

We shall substitute new notices to conform with *Durham School Services*, 360 NLRB No. 85 (2014).

APPENDIX A

NOTICE TO EMPLOYEES

Posted by Order of the National Labor Relations Board An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this Notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union Choose representatives to bargain with us on your behalf Act together with other employees for your benefit and protection Choose not to engage in any of these protected activities

WE WILL NOT refuse to bargain in good faith with the SEIU Healthcare 775 NW (Union) as the exclusive representative of the employees in the following appropriate unit:

All employees .who are employed by the Employer throughout the State of Montana in the position of home care worker, who perform home care and personal services, or, work in any position related to the delivery of such in-home services, including but not limited to: home care workers, caregivers, personal care assistants, Certified Nursing Assistants (CNA or NAC), Nurse Aide Registered (NAR), Licensed Practical Nurses (LPN or LVN), Registered Nurses (RN), and any other similar job title or classification; excluding all managers, confidential employees, office clerical employees, professional employees, guards, and supervisors as defined in the National Labor Relations Act.

WE WILL NOT insist that the Union agree to nonmandatory and irrelevant conditions before meeting with the Union's designated agents to engage in collective bargaining for a successor collective bargaing agreement.

WE WILL NOT refuse to meet with the Union's designated agents to engage in collective bargaining about the effects of closing of our Montana operation and the termination of the unit employees.

WE WILL NOT fail or refuse to provide the Union with information it requested for the purpose of engaging in collective bargaining concerning about the effects of our closing our Montana operation and laying off the unit employees.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce our employees in the exercise of the rights guaranteed them by Section 7 of the Act.

WE WILL pay our former employees in the unit described above their normal wages for the period specified by the NLRB in cases where an employer fails to timely engage in meaningful bargaining over the effects resulting from the closure of a business, with interest.

WE WILL compensate the unit employees for adverse tax consequences, if any, resulting from receiving a lump-sum backpay award, and file a report with the Social Security Administration allocating the backpay award to the appropriate calendar quarters.

WE WILL furnish the Union with the information requested on February 14, 2012, to engage in collective bargaining over the effects on employees from our closing of our business in Montana.

		AAA Residential Services of Montana, Inc. (Employer)	
Dated	By		
		(Representative)	(Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below. You may also obtain information from the Board's website: www.nlrb.gov.

915 2nd Avenue, Federal Building, Room 2948 Seattle, Washington 98174-1078 Hours: 8:15 a.m. to 4:45 p.m. 206-220-6300.

The Administrative Law Judge's decision can be found at www.nlrb.gov/case/19-CA-072863 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.



THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

THIS NOTICE MUST REMAIN POSTED FOR 60 CONSECUTIVE DAYS FROM THE DATE OF POSTING AND MUST NOT BE ALTERED, DEFACED, OR COVERED BY ANY OTHER MATERIAL. ANY QUESTIONS CONCERNING THIS NOTICE OR COMPLIANCE WITH ITS PROVISIONS MAY BE DIRECTED TO THE ABOVE REGIONAL OFFICE'S COMPLIANCE OFFICER. 206-220-6284.

APPENDIX B

NOTICE TO EMPLOYEES

Posted by Order of the National Labor Relations Board An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this Notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union Choose representatives to bargain with us on your behalf Act together with other employees for your benefit and protection Choose not to engage in any of these protected activities

WE WILL NOT refuse to bargain with SEIU Healthcare 775 NW (Union) as the exclusive representative of our employees in the following appropriate unit:

All employees .who are employed by the Employer throughout the State of Washington in the position of home care worker, who perform home care and personal services, or, work in any position related to the delivery of such in-home services, including but not limited to: home care workers, caregivers, personal care assistants, Certified Nursing Assistants (CNA or NAC), Nurse Aide Registered (NAR), Licensed Practical Nurses (LPN or LVN), Registered Nurses (RN), and any other similar job title or classification; excluding all managers, confidential employees, office clerical employees, professional employees, guards, and supervisors as defined in the National Labor Relations Act.

WE WILL NOT insist that the Union agree to nonmandatory and irrelevant conditions before meeting with the Union's designated agents to engage in collective bargaining for a successor collective bargaining agreement.

WE WILL NOT fail or refuse to provide the Union with the necessary and relevant information it requests to engage in collective bargaining.

WE WILL NOT unilaterally change our health insurance plan or other terms and conditions of employment for the employees employed in the above unit without providing the Union with prior notice and an opportunity to bargain concerning any proposed changes.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce employees in the exercise of the rights guaranteed them by Section 7 of the Act.

WE WILL provide the Union with the information with the information it requested on July 20, 2012.

WE WILL, upon request, restore the health insurance plan applicable to the employees in the above unit to that which existed prior to the changes we made on or about May 1, 2012.

WE WILL reimburse the unit employees for any losses they incurred as the result of the changes we made on or about May 1, 2012, to their health insurance plan with interest provided by law.

		AAA Residential Services, Inc.		
		(Employer)		
Dated	By			
		(Representative)	(Title)	

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915 2nd Avenue, Federal Building, Room 2948 Seattle, Washington 98174-1078 Hours: 8:15 a.m. to 4:45 p.m. 206-220-6300.

The Administrative Law Judge's decision can be found at www.nlrb.gov/case/19-CA-072734 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.



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